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DEPUTY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

June 2008 Grand Jury

**'08 CR 2197 L**

9	UNITED STATES OF AMERICA,	)	Criminal Case No. _____
10	Plaintiff,	)	<u>I N D I C T M E N T</u>
11	v.	)	Title 8, U.S.C., Sec. 1326(a)
12	JOSE ALFONSO CORTEZ-HERRERA,	)	and (b) - Attempted Entry After
13	Defendant.	)	Deportation; Title 18, U.S.C.,
14		)	Sec. 1546(a) - Fraud and
		)	Misuse of Entry Document

The grand jury charges:

Count 1

On or about April 1, 2008, within the Southern District of California, defendant JOSE ALFONSO CORTEZ-HERRERA, an alien, knowingly and intentionally attempted to enter the United States of America with the purpose, i.e., conscious desire, to enter the United States, after having been previously excluded, deported and removed from the United States to El Salvador, and not having obtained the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security to reapply for admission thereto; and committed an overt act that was a substantial step toward entering the United States, that is, crossed the border between Mexico and the United States; all in violation of Title 8, United States Code, Section 1326(a) and (b).

JPME:fer:San Diego  
7/2/08

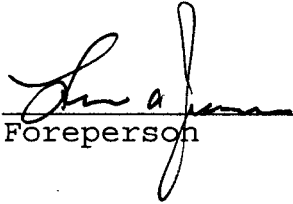
1 If is further alleged that defendant JOSE ALFONSO CORTEZ-HERRERA  
2 was removed from the United States subsequent to July 8, 2004.

3 Count 2

4 On or about April 1, 2008, within the Southern District  
5 of California, defendant JOSE ALFONSO CORTEZ-HERRERA, did knowingly  
6 and willfully possess a document prescribed by statute or regulation  
7 for entry, namely, an I-551 Permanent Resident Alien card and a  
8 California Identification card, in the name of Juan F. Diaz Camarena,  
9 knowing and having reason to know that said document was unlawfully  
10 obtained; in violation of Title 18, United States Code,  
11 Section 1546(a).

12 DATED: July 2, 2008.

13 A TRUE BILL:

14  
15   
16 Foreperson

17 KAREN P. HEWITT  
18 United States Attorney

19 By:

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21 JAMES P. MELENDRES  
22 Assistant U.S. Attorney  
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